

PROB 12C
(6/16)

Report Date: March 27, 2024

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Mar 28, 2024**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Troy Edward Klein

Case Number: 0980 2:19CR00122-TOR-1

Address of Offender: [REDACTED] Spokane, Washington 99217

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Name of Assigned Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: February 20, 2020

Original Offense: Possession with Intent to Distribute 50 Grams or More of Actual Methamphetamine,
21 U.S.C. § 841(a)(1)Original Sentence: Prison - 60 months Type of Supervision: Supervised Release
TSR - 48 monthsRevocation Sentence: Prison - 90 days
(June 1, 2023) TSR - 60 months

Asst. U.S. Attorney: David Michael Herzog Date Supervision Commenced: August 3, 2023

Defense Attorney: Carter Liam Powers Beggs Date Supervision Expires: August 2, 2028

PETITIONING THE COURT

To issue a warrant and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 11/29/2023 and 12/06/2023.

On August 3, 2023, the offender's conditions of supervised release were explained by the probation officer and he signed said conditions acknowledging an understanding of his requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
7	<p><u>Special Condition #5:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.</p> <p><u>Supporting Evidence:</u> The offender is alleged to have violated special condition number 5, by attempting to utilize a device in an effort to circumvent urinalysis testing on March 26, 2024.</p>

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On March 26, 2024, Mr. Klein reported to the U.S. Probation Office as directed for urinalysis testing. During the collection of the urine sample, the probation officer observed a device. The offender asked the probation officer multiple times to dispose of the device and to not provide it to the undersigned. The device was ultimately confiscated and Mr. Klein was instructed to provide a valid urine specimen.

- 8 **Special Condition #5:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: The offender is alleged to have violated special condition number 5, by ingesting controlled substances, methamphetamine and marijuana, on or about March 26, 2024.

On March 26, 2024, Mr. Klein submitted a urine specimen at the U.S. Probation Office that returned presumptive positive for methamphetamine and marijuana. At that time, he admitted to using said substances. It should be noted, the above-referenced urine specimen was also presumptive positive for cocaine; however, Mr. Klein denied use of this substance. The urine specimen was thereafter sent to the national drug testing laboratory for confirmation.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 27, 2024

s/Lori Cross

Lori Cross
U.S. Probation Officer

THE COURT ORDERS

- [X] The Issuance of a Warrant
 [] The Issuance of a Summons
 [X] The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
 [X] Defendant to appear before the Magistrate Judge.
 [X] Other: ***The final Revocation of Supervised Release hearing scheduled for April 25, 2024, remains set.***



Thomas J. Rice
United States District Judge

March 28, 2024

Date